

1 KARL HALL
2 Reno City Attorney
3 MARK HUGHS
4 Nevada Bar #5375
5 Post Office Box 1900
6 Reno, NV 89505
7 (775) 334-2050
8 *Attorneys for City of Reno*
9 *and Lawrence Dennison*

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 CATHY WOODS (a/k/a ANITA CARTER) by
13 and through her Personal Representative,
14 LINDA WADE,

15 Plaintiff,

16 vs.

17 CITY OF RENO, NEVADA, LAWRENCE C.
18 DENNISON, DONALD W. ASHLEY,
19 CLARENCE A. "JACKIE" LEWIS,

20 Defendants.

Case No.: 3:16-CV-00494-MMD-DJA

21 **JOINT AND UNOPPOSED**
22 **MOTION TO EXTEND**
23 **DISPOSITIVE MOTION**
24 **DEADLINE TO FEBRUARY 10,**
25 **2020**

(Third Request¹)

26
27 Defendants Lawrence Dennison, City of Reno, Donald Ashley and Clarence Lewis, by and
28 through undersigned counsel, respectfully move the Court, to allow the date for the dispositive
motion deadline to be extended from February 1, 2020 (a Saturday) (ECF No. 199) to February 10,
2020 (a Monday). As set forth below, good cause exists for such an extension in accordance with
LR IA 6-1.

Background Information

This is a 42 U.S.C. § 1983 action, with ancillary state claims, stemming from allegations
that the Defendants violated Plaintiff's civil rights by coercing a confession to a 1976 Reno murder

¹As reflected in the record, the deadlines at issue herein were not initially addressed in a discovery plan, due to
discovery stays and other issues. It appears formal deadlines for liability experts and dispositive motions were
modified from original ones (ECF #140) only once before (ECF #187), after which a Stipulation and Order regarding
Rule 35 Examinations (for damages) not previously addressed was entered (ECF #190). **No discovery activity is being
extended by this motion, but rather this request to extend the substantive motion deadline is made for the reasons
stated herein.**

1 and fabricating evidence, resulting in the imprisonment of Plaintiff for approximately 35 years. In
2 2015, Plaintiff's conviction was set aside, and the District Attorney dismissed the murder charge
3 against her.

4 The parties have completed all discovery² except for the Plaintiff and Defendants'
5 psychological experts, Doctors Good and Saldanha, respectively, who will be deposed in San
6 Francisco on January 30 and 31, 2020. (See, ECF #199).

7 **Reasons For The Extension Request**

8 Dr. Good, who will be deposed in San Francisco the afternoon of Thursday, January 30,
9 2020, is both a liability and damages expert for Plaintiff and subject to the stipulations previously
10 entered concerning the timing and disclosure of his testimony (*See id.*). As a liability expert,
11 Defendants believe Dr. Good's testimony may be applicable to dispositive motions. Defense
12 counsel from Shreveport, Louisiana, and Plaintiff's counsel from Seattle, Washington, but in
13 Chicago for an appellate argument on January 28, 2020, will be traveling to and from San Francisco
14 for Dr. Good's deposition (and Dr. Saldanha on January 31). Currently, the dispositive motion
15 deadline is Saturday, February 1, 2020. It is not likely the parties could obtain the transcript of Dr.
16 Good's deposition before the dispositive motion deadline, let alone review and incorporate it in a
17 motion, particularly given travel considerations. Thus, in order to [1] allow time to obtain the
18 transcript, [2] make dispositive motions due on a weekday, when attorney and court staff is
19 available³, and [3] allow for travel, Defendants respectfully seek to extend the dispositive motion
20 deadline to February 10, 2020.

21 Plaintiff does not oppose this request.

22 ///

23 ///

24 ///

25 ///

26
27 ² The discovery completed includes the depositions of more than thirty witnesses and parties, written discovery,
28 document subpoenas to third parties and the exchange of tens of thousands of pages of documents.

³ Due to the size of the record, one or more parties may choose to physically file exhibits, requiring access to the Court Clerk.

Proposed Dispositive Motion Deadline

Dispositive Motion Deadline: February 10, 2020.

DATED this 15th day of January, 2020.

DATED this 15th day of January, 2020.

PETTIETTE, ARMAND, DUNKELMAN,
WOODLEY, BYRD & CROMWELL,
L.L.P.

KARL HALL
Reno City Attorney

By: /s/ Mark A. Hughes

MARK A. HUGHES
Deputy City Attorney
Nevada Bar #5375
Post Office Box 1900
Reno, Nevada 89505
(775) 334-2050

By: /s/ Edwin H. Byrd, III
Edwin H. Byrd, III,
La. Bar No. 19509
400 Texas Street, Suite 400 (71101)
P.O. Box 1786
Shreveport, Louisiana 71166-1786

*Attorneys for City of Reno and
Lawrence Dennison*

Katherine F. Parks, Esq.
Nevada Bar No. 6227
Thorndal Armstrong Delk
Balkenbush & Eisinger
6590 S. McCarran Blvd., Ste. B
Reno, NV 89509
(775) 786-2882

*Attorneys for Defendants, Clarence A.
"Jackie" Lewis and Donald W. Ashely*

IT IS SO ORDERED.

DATED this 21st day of January, 2020.


United States Magistrate Judge